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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-617-F)

IN THE APPLICATION OF:)
)
Hefeneider et al.)
)
Serial No. 10/619,992) Examiner: Ruixiang, Li
)
Filed: July 15, 2003) Group Art Unit: 1646
)
Title Mammalian DNA Binding) Confirmation No.: 8235
Membrane-Associated Protein-)
Encoding Gene And Uses)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Madam/Sir:


In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement (including 55 cited references)
 - b. PTO Form 1449
 - c. Return Receipt Postcard.
2. With respect to additional fees:
☒ A check in the amount of \$180.00 in pursuant to 37 C.F.R. § 1.17(p)
3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with

sufficient postage as first class in an envelope to: Mail Stop Amendment,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this
1st day of December, 2005.

McDonnell Boehnen Hulbert & Berghoff LLP

Date: December 1, 2005

By: 
Michelle L. McMullen-Tack, Ph.D.
Reg. No. 52,016



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(Case No. 00-617-F)

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Membrane-Associated Protein-)	No.:
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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-1.99, the applicants wish to make the following references of record in the above-identified application. This application is a divisional of U.S. Patent Application No. 09/921,099 filed August 1, 2001 and is relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the document be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

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In accordance with Rule 37 CFR §1.98(d), those references marked with an "*" have been previously cited and submitted to the Patent and Trademark Office with the prior applications and additional references are enclosed herein. All references cited are also listed in the PTO-1449 form enclosed herewith.

The Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. In accordance with this waiver, cited U.S. patents and U.S. patent application publications marked with "*" are not enclosed.

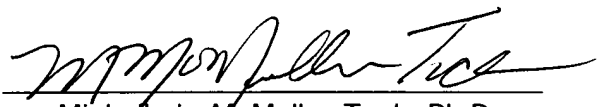
In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§102 or 103.

This Information Disclosure Statement is being filed before the mailing date of a final action, pursuant to 37 C.F.R. Section 1.97(c) and the fee set forth in Section 1.17(p), \$180.00, is enclosed herewith.

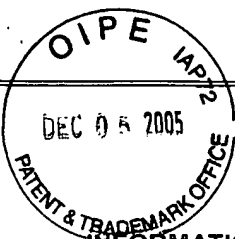
Please charge any underpayment or credit any overpayment in connection with this communication to Deposit Account No. 13-2490. A duplicate copy of this communication is enclosed for this purpose.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: December 1, 2005

By: 
Michelle L. McMullen-Tack, Ph.D.
Registration No. 52,016

FORM PTO-1449
(Rev. 2-32)



U.S. Department of Commerce
Patent and Trademark Office

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Atty. Docket No.

MBHB00-617-F

Serial No.

10/619,992

Applicant:

Hefeneider et al.

Filing Date:

July 15, 2003

Group:

1646

U.S. PATENT APPLICATION DOCUMENTS

Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
	*	60/222,624	08/01/00	Siess et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Translation	
							Yes	No
	1.	WO 01/34628	05/17/01	Ruben et al.				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

Examiner Initials		Documents
	2.	Bennett et al., "DNA Binding to Human Leukocytes," Journal of Clinical Invest. 76:2182-2190 (1985)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No. MBHB00-617-F	Serial No. 10/619,992
	Applicant: Hefeneider et al.	
	Filing Date: July 15, 2003	Group: 1646

3.	Bennett et al., "Anti-DNA Antibodies React with DNA Expressed on the Surface of Monocytes and B Lymphocytes," The Journal of Rheumatology 13(4):679-685 (1986)
4.	Bennett et al., "DNA Receptor Dysfunction in System Lupus Erythematosus And Kindred Disorders," Journal of Experimental Medicine 166:850-863 (1987)
5.	Bennett et al., "Autoimmunity to a 28-30 kD cell membrane DNA binding protein: occurrence in selected sera from patients with SLE and mixed connective tissue disease (MCTD)," Clinical and Experimental Immunology 86(3):374-379 (1991)
6.	Bennett et al., "Idiotypic Mimicry of a cell surface DNA receptor: evidence for anti-DNA antibodies being a subset of anti-anti-DNA receptor antibodies," Clinical and Experimental Immunology 90(3):428-433 (1992)
7.	Bennett et al., "As Nature Intended? The Uptake of DNA and Oligonucleotides by Eukaryotic Cells," Antisense Research and Development 3(3):235-241 (1993)
8.	Bilton et al., "New treatment in adult cystic fibrosis," Journal of the Royal Society of Medicine 90:2-5 (1997)
9.	Bush et al., "Early Treatment With Dornase Alfa in Cystic Fibrosis: What Are the Issues?," Pediatric Pulmonology 25:79-82 (1998)
10.	Cramer et al., "The role of dornase alfa in the treatment of cystic fibrosis," The Annals of Pharmacotherapy 30(6):656-661 (1996)
11.	Davis et al., "Cystic Fibrosis," American Journal of Respiratory & Critical Care Medicine 154(5):1229-1256 (1996)
12.	Doring G. "Anit-Inflammatory Therapy," Pediatric Pulmonology, Supplement 16:271-272 (1997)
13.	Eigen et al., "A multicenter study of alternate-day prednisone therapy in patients with cystic fibrosis," The Journal of Pediatrics 126(4):515-523 (1995)

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14.	Emlen et al., "Hepatic Binding of DNA is Mediated by a Receptor on Nonparenchymal Cells," American Journal of Pathology 133(1):54-60 (1988)
15.	Gabor & Bennett, 1984, "Biochem Biophys. Res. Commun." <u>122</u> :1034-1039.
16.	Gasparro et al., "Cell Membrane DNA: A new target for Psoralen Photoadduct Formation," Photochemistry and Photobiology 52(2):315-321 (1990)
17.	Gene Bank Accession No. 2496825
18.	Gene Bank Accession No. 3878739
19.	Gene Bank Accession No. 3879246
20.	Gene Bank Accession No. 422756
21.	Gene Bank Accession No. 5032071
22.	Gene Bank Accession No. 951276
23.	Gene Bank Accession No. L42133
24.	Gene Bank Accession No. U13397
25.	Gene Bank Accession No. U62896
26.	Gene Bank Accession No. X79066
27.	Yakov Gluzman. "SV40-Transformed Simian Cells Support the Replication of Early SV40 Mutants," Cell 23:175-182 (1981)
28.	Hefeneider et al., "Identification of a Cell-Surface DNA Receptor and Its Association with Systemic Lupus Erythematosus," The Journal of Investigative Dermatology 94(6):79S-84S (1990)
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30.	Hefeneider et al., "Nucleosomes and DNA Bind to Specific Cell-Surface Molecules on Murine Cells and Induce Cytokine Production," Clinical Immunology and Immunopathology 63(3):245-251 (1992)
31.	Hefeneider et al., "The cloning and sequencing of a human 130 kDa cell surface DNA binding protein reactive with lupus antibodies," Arthritis & Rheumatism 39(9):S35 (1996) [XP002205492]
32.	Hegde et al. 2000 "Assessment of Gene Expression Patterns in a Model of Colon Tumor", XP002205495.
33.	Henry et al., "Airway Inflammation After Treatment With Aerosolized Deoxyribonuclease in Cystic Fibrosis," Pediatric Pulmonology 26:97-100 (1998)
34.	International Search Report from PCT/US01/24351 mailed August 23, 2002
35.	Konstan et al., "Therapies aimed at airway inflammation in cystic fibrosis," Clinics in Chest Medicine 19(3):505-513 (1998)
36.	Konstan et al., "Effect of high-dose Ibuprofen in patients with Cystic Fibrosis," The New England Journal of Medicine 332:848-854 (1995)
37.	Lerner et al., "Membrane-Associated DNA in the Cytoplasm of Diploid Human Lymphocytes," Proc. Nat. Acad. Sci. 68(6):1212-1216 (1971)
38.	Meinke et al., "Reassociation and Dissociation of Cytoplasmic Membrane-associated DNA," Journal of Molecular Biology 86(4):757-773 (1974)
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40.	Reid et al., "Cytoplasmic and Cell Surface Deoxyribonucleic Acids with Consideration of Their Origin," International Review of Cytology 60:27-52 (1979)
41.	Schwartz et al., CpG Motifs in Bacterial DNA Cause Inflammation in the Lower Respiratory Tract," The Journal of Clinical Investigation 100(1):68-73 (1997)

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42.	Siess et al., "Expression of a candidate cell-surface DNA receptor gene," Arthritis & Rheumatism 41(9):S143 (1998) [XP002205491]
43.	Siess et al., 2000 "Journal of Biological Chemistry", XP002205493 275(43):33655-33662.
44.	Strausberg, 2000, "National Institutes of Health, Mammalian Gene Collection", XP002205494.
45.	Sudar et al., "Localization and Internalization of Cell Surface DNA in Macrophages," Cellular and Molecular Biology 32(1):87-91 (1986)
46.	Tang, et al., 2001 "Database Geneseq" Database Accession No. AAI59510, XP002205808.
47.	Tang, et al., 2001 "Database Geneseq" Database Accession No. AAI59511, XP002205809.
48.	Tang, et al., 2001 "Database Geneseq" Database Accession No. AAI61296, XP002205812.
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51.	Tang, et al., 2001 "Database Geneseq" Database Accession No. AAM40355, XP002205811.
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